

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference NOPCT-40	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/JP2005/001808	International filing date (day/month/year) 08.02.2005	Priority date (day/month/year) 26.02.2004	
International Patent Classification (IPC) or national classification and IPC B32B5/18 (2006.01), B60R13/02 (2006.01), D06M11/72 (2006.01), D06M13/292 (2006.01), D06M15/41 (2006.01), D06M15/423 (2006.01),			
Applicant NAGOYA OILCHEMICAL CO., LTD.			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of 30 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2005/001808

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

 - international search (Rule 12.3 and 23.1(b))
 - publication of the international application (Rule 12.4)
 - international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished
 the description:

pages 4, 7, 9, 10, 12, 15, 22, 23 as originally filed/furnished

pages* 1-3, 5, 6, 8, 11, 13, 14, 16-21, 24-36 received by this Authority on 26.09.2005

pages* _____ received by this Authority on _____

the claims:

nos. 17, 22, 23 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1-3, 5, 6, 16, 18-21 received by this Authority on 26.09.2005

nos.* _____ received by this Authority on _____

the drawings:

sheets fig. 1 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:

the description, pages _____

the claims, nos. 4, 7-15 _____

the drawings, sheets/figs _____

the sequence listing (*specify*): _____

any table(s) related to sequence listing (*specify*): _____
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____

the claims, nos. _____

the drawings, sheets/figs _____

the sequence listing (*specify*): _____

any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2005/001808Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims <u>1-3, 5, 6, 16-23</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims _____	YES
	Claims <u>1-3, 5, 6, 16-23</u>	NO
Industrial applicability (IA)	Claims <u>1-3, 5, 6, 16-23</u>	YES
	Claims _____	NO

2. Citations and explanations (Rule 70.7)

Document 1: JP 11-323015 A

Document 2: JP 2000-327797 A

Claims 1 to 3, 5, 6 and 16 to 23

The inventions set forth in claims 1 to 3, 5, 6 and 16 to 23 do not involve an inventive step in the light of documents 1 and 2 cited in the international search report.

Document 1 discloses a fibrous textile that has been coated with a flame-retardant resin composition configured from a thermoplastic resin and a flame retardant that has been encapsulated in microcapsules (refer to claims 1 and 10); therein, document 1 also presents a nonwoven fabric as an example of said fibrous textile (refer to paragraph [0031]).

On the other hand, document 1 does not make any disclosure delimiting the binder for the nonwoven fabric. However, the phenolic resins set forth in claim 1 of the present application are commonly used as resin binders for nonwoven fabrics (refer to document 2, claim 1, paragraphs [0018] to [0019] and examples 7 to 8); therefore, it cannot be considered to require significant

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creative ability for a person skilled in the art to conceive of employing one of the phenolic resins set forth in claims 1 to 3 of the present application as a binder when using a nonwoven fabric as the fibrous textile in the invention disclosed in document 1.

With regards to examples 1 and 2 and comparative examples 1 and 3 in the detailed description of the invention in the present application, although there are also some examples of configurations that exhibited slightly different effects, there is no significant difference between the effects associated with the flame retardance characteristics, the acoustic absorptivity, the air flow resistance and the adhesion strengths of the configurations in examples wherein the films had a thickness of 200 µm. Such being the case, if the effects exhibited by the configurations in the aforementioned examples and comparative examples are taken as a whole, there cannot be considered to be any significant effects that result from employing one of the phenolic resins set forth in claims 1 to 3 of the present application as the binder in the invention set forth in claim 1 of the present application.

Furthermore, a person skilled in the art could adjust the amount of the aforementioned flame retardant that is adhered to the fibrous textile in order to achieve favorable effects, as appropriate.

Moreover, it would not be especially difficult for a person skilled in the art to conceive of simply employing the well-known base material set forth in claims 5 and 6 of the present application as the fibrous base material in the invention disclosed in document 1.

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Likewise, it would not have been especially difficult for a person skilled in the art to configure the inventions set forth in claims 16 and 23 by simply employing the fibrous material disclosed in document 1, which has flame retardant-containing capsules adhered thereto, in an automobile, which is an environment in which it is desirable for a material to exhibit flame retardance characteristics. In addition, automotive materials which have the layered structure set forth in claims 18 to 21 are well known, and it would not have been especially difficult to configure the layered structure in question. Furthermore, a person skilled in the art could establish the ranges set forth in claims 17 and 22 of the present application by adjusting the air flow resistance of said layered structure in order to achieve favorable effects, as appropriate.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Front page

International Patent Classification (IPC) or national classification and IPC:

D06M23/12 (2006.01)